IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1762 OF 2006.

State of Maharashtra. ... Appellant.

Versus.

Madhav Deoram Dhatra & otehrs. ... Respondents.

Shri S.N.Gawade, A.G.P. for the Appellant.

Shri P.N.Joshi for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 1st August, 2006.

P.C.:

1. Admit. The learned Advocate for the Respondents waives service. Hearing expedited.

2. Printing is dispensed with. The Appellant is directed to file private paper book along with sufficient number of copies thereof within a period of one year from today. If the paper book is not filed within the stipulated period, the Appeal will stand dismissed for want of prosecution without further reference to the Court.

3. In this Appeal by the impugned Award enhancement granted in the market value is only of Rs.4580/-. Considering the fact that the impugned award was passed in the year 2000 and considering the fact that the amount involved is too small no case is made out for grant of interim relief. The Appellant will deposit the entire amount due under the impugned Judgment and Award within a period of 12 weeks from today and the original

Claimant will be entitled to withdraw the said amount subject to filing an undertaking before the Reference to redeposit the same with reasonable rate of interest in case the Appellant succeeds in the Appeal.

Judge.